

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

UNITED STATES OF AMERICA,	)	
	)	May 25, 2023
	)	
- versus -	)	Charleston, SC
	)	
CORY HOWERTON FLEMING,	)	9: 23- 394- 1
	)	
Defendant.	)	

TRANSCRIPT OF ARRAIGNMENT AND CHANGE OF PLEA

BEFORE THE HONORABLE RICHARD M. GERGEL  
UNITED STATES DISTRICT JUDGE, presiding

A P P E A R A N C E S:

For the Government: EMILY E. LIMEHOUSE, AUSA  
KATHLEEN M. STOUGHTON, AUSA  
WINSTON D. HOLLIDAY, AUSA  
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Charleston, SC 29401

For the Defendant: DEBORAH B. BARBIER, ESQ.  
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Columbia, SC 29201

Court Reporter: KAREN E. MARTIN, RMR, CRR  
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Proceedings reported by stenographic court reporter.  
Transcript produced with computer-aided transcription  
software.

Karen E. Martin, RMR, CRR  
US District Court  
District of South Carolina

1 THE COURT: Okay. Mr. Fleming, you've heard the  
2 summary provided by the Assistant United States Attorney.  
3 Do you dispute any of those facts?

4 THE DEFENDANT: No, sir.

5 THE COURT: Are you telling me under oath that  
6 the statements made by the Assistant United States  
7 Attorney are accurate?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Let me understand just a little bit.  
10 There are two areas here, one of them is that you -- make  
11 sure I understand this. There was representation to the  
12 circuit court at the time you were obtaining approval of  
13 the settlement that attorneys' fees totaled \$1.43 million;  
14 is that correct?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: But in fact you intended only to  
17 take 672,000; is that correct?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Where was the rest of the money to  
20 go?

21 THE DEFENDANT: Um, well, as the Information  
22 says, a portion of it was going to be spent by  
23 Mr. Murdaugh, approximately a hundred thousand dollars.  
24 And then the rest of it, I was under the impression, were  
25 going to the beneficiaries of the estate.

1 THE COURT: Well, why would -- if the fees are  
2 \$670,000, then naturally it would go to the beneficiaries  
3 of the estate, correct?

4 THE DEFENDANT: I thought they did.

5 THE COURT: But you understand what I'm saying  
6 is that normally you wouldn't need to overstate your legal  
7 fees because the net amount is what goes to the  
8 beneficiaries, correct?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: So let me understand this a little  
11 bit better. One day we're going to have a sentencing  
12 hearing. I need to understand this. Where did you think  
13 the 600-and-some-odd-thousand dollars was going to go if  
14 not -- was Mr. Murdaugh to get some portion of it?

15 THE DEFENDANT: A portion, yes, sir.

16 THE COURT: How much?

17 THE DEFENDANT: Around a hundred thousand  
18 dollars roughly.

19 THE COURT: Now, is that a normal thing that  
20 defendants get, a hundred thousand dollars of the  
21 plaintiff's attorneys' fees?

22 THE DEFENDANT: No, sir.

23 (WHEREUPON, the defendant and attorney spoke  
24 privately.)

25 THE COURT: And what was the thinking behind the

1 after a Presentence Report is prepared. My probation  
2 office will work with you to provide me the fullest sort  
3 of understanding presentencing. The probation officer  
4 works for me, doesn't work for the prosecutor. I urge you  
5 to cooperate so I can get a better understanding of sort  
6 of the full picture here and the full person that I will  
7 be sentencing.

8 My magistrate judge, Judge Cherry, will address  
9 bond issues and my Marshals will escort you over there for  
10 that.

11 Any further matters to come before the Court at  
12 this point?

13 MS. LIMEHOUSE: Nothing from the Government,  
14 Your Honor.

15 THE COURT: Ms. Barbier?

16 MS. BARBIER: Nothing further, Your Honor.  
17 Thank you for making time to do this today.

18 THE COURT: Glad to do it.

19 This hearing is adjourned.

20 (WHEREUPON, court was adjourned at 2:47 PM)

21 \* \* \*

22 I certify that the foregoing is a correct transcript from  
23 the record of proceedings in the above-entitled matter.

24 s/Karen E. Martin

5/26/2023

25 Karen E. Martin, RMR, CRR

Date